

ORDINANCE NO. 2008 -016

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2007-006; REVOKING THE AD VALOREM TAX EXEMPTION GRANTED TO FLORIDA TURBINE TECHNOLOGIES INC.; PROVIDING FOR TITLE; PROVIDING FOR ENACTMENT AUTHORITY; PROVIDING FOR REVOCATION OF EXEMPTION/RECOVERY OF FUNDS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the Board of County Commissioners of Palm Beach County approved and adopted Ordinance 2007-006 on May 15, 2007, entitled "Economic Development Ad Valorem Tax Exemption Ordinance – Florida Turbine Technologies Inc."; and

WHEREAS, such Ordinance was adopted pursuant to the authority granted in Article VII, Section 3, of the Constitution of the State of Florida and Section 196.1995 Florida Statutes; and

WHEREAS, Florida Turbine Technologies Inc. failed to file the required annual report by March 2008 and failed to create jobs required; and

WHEREAS, Ordinance No. 2005-004 authorizes the revocation of the Ad Valorem Tax Exemption for failure to file the required annual reports, failure to continue to meet the definition of a new business or an expansion of an existing business, or failure to fulfill any other representation during the application process, and

WHEREAS, Ordinance No. 2007-006 empowers the Board of County Commissioners of Palm Beach County to revoke the exemption granted to Florida Turbine Technologies Inc., in the event Florida Turbine Technologies Inc. fails to satisfy the conditions set forth in such Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that;

SECTION 1. TITLE:

This Ordinance shall be known as the "Economic Development Ad Valorem Tax Exemption Ordinance – Florida Turbine Technologies Inc. – Revocation of Exemption".

SECTION 2. ENACTMENT AUTHORITY:

Ordinance No. 2005-004 empowers the County to revoke Economic Development Ad Valorem Tax Exemptions should any entity awarded an Ad Valorem Tax Exemption fail to file an annual report or any other report required, fail to continue or meet the definition of a new business or an expansion of an existing business, or fail to fulfill any other representation made during the application process.

SECTION 3. REVOCATION OF EXEMPTION/RECOVERY OF FUNDS:

The Board of County Commissioners hereby revokes the Ad Valorem Tax

Exemption granted by Ordinance No. 2007-006. Said revocation shall become effective on January 1, 2007.

**SECTION 4. REPEAL OF LAWS IN CONFLICT:**

All local laws and ordinances in conflict with any provision of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5. SEVERABILITY:**

If any section, paragraph, sentence, cause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

**SECTION 6. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article" or other appropriate word.

**SECTION 7. EFFECTIVE DATE:**

The provisions of this Ordinance shall become effective upon filing with the Department of State, with the effective date of the revocation January 1, 2007.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 17th day of June, 2008.

Sharon R. Bock, Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: Judith Crossline  
Deputy Clerk

By: Addie L. Greene  
Addie L. Greene, Chairperson

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: DA  
Assistant County Attorney

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, SHARON R. BOCK, Clerk & Comptroller certify  
this to be a true and correct copy of the original  
filed in my office on JUN 17 2008

dated at West Palm Beach, FL on 7-1-2009  
By: Judith Crossline  
Deputy Clerk

EFFECTIVE DATE: FILED WITH THE DEPARTMENT OF STATE ON THE  
18th DAY OF June 2008.